

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
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This Document Relates to:

Burnett, et al. v. Islamic Republic of Iran, et al., 15-cv-9903(GBD)(SN)

Arias, et al. v. Islamic Republic of Iran, 19-cv-00041(GBD)(SN)

Prior, et al. v. Islamic Republic of Iran, 19-cv-00044(GBD)(SN)

{PROPOSED} ORDER OF PARTIAL FINAL DEFAULT JUDGMENTS

(BURNETT XXIX)

(ARIAS 7)

(PRIOR 6)

Upon consideration of the evidence and arguments submitted by Plaintiffs identified in Exhibits A-1, A-2, A-3, and B to this Order, plaintiffs in *Burnett, et al. v. Islamic Rep. of Iran, et al.*, Case No. 15-cv-9903 (GBD)(SN); *Arias, et al. v. Islamic Rep. of Iran*, Case No. 19-cv-41 (GBD)(SN); and *Prior, et al. v. Islamic Rep. of Iran*, Case No. 19-cv-44 (GBD)(SN), who are each a spouse, parent, child, or sibling (or the estate of a spouse, parent, child, or sibling) of a victim killed in the terrorist attacks on September 11, 2001 (as identified in Exhibits A-1 through A-3), or the estate of an individual who was killed in the terrorist attacks on September 11, 2001 (as identified in Exhibit B), and upon consideration of the judgment for default as to liability in the *Burnett* case against the Islamic Republic of Iran, the Islamic Revolutionary Guard Corps, and the Central Bank of the Islamic Republic of Iran (collectively, the “Iran Defendants”) entered on January 31, 2017 (15-cv-9903, ECF No.85), the judgment for default as to liability in the *Arias* case against the Islamic Republic of Iran entered on September 9, 2019 (ECF No. 5104), and the judgment for default as to liability in the *Prior* case against the Islamic Republic of Iran entered on September 6, 2019 (ECF No. 5088), together with the entire record in these cases, it is hereby;

ORDERED that service of process was effected upon the Islamic Republic of Iran in each of these cases in accordance with 28 U.S.C. § 1608(a)(4);

ORDERED that service of process was effected upon the Islamic Revolutionary Guard Corps in the *Burnett* case in accordance with 28 U.S.C. § 1608(a)(4);

ORDERED that service of process was effected upon the Central Bank of the Islamic Republic of Iran in the *Burnett* case in accordance with 28 U.S.C. § 1608(b)(3)(B);

ORDERED that partial final judgment is entered against the Islamic Republic of Iran, the Islamic Revolutionary Guard Corps, and the Central Bank of the Islamic Republic of Iran on behalf of the Plaintiffs in *Burnett, et al. v. Islamic Rep. of Iran, et al.*, Case No. 15-cv-9903 (GBD)(SN), as identified in the attached Exhibit A-1, who are each a spouse, parent, child, or sibling (or the estate of a spouse, parent, child, or sibling) of individuals killed in the terrorist attacks on September 11, 2001, as indicated in Exhibit A-1, and it is

ORDERED that partial final judgment is entered against the Islamic Republic of Iran on behalf of the Plaintiffs in *Arias, et al. v. Islamic Rep. of Iran*, Case No. 19-cv-41 (GBD)(SN), as identified in the attached Exhibit A-2, who are each a spouse, parent, child, or sibling (or the estate of a spouse, parent, child, or sibling) of individuals killed in the terrorist attacks on September 11, 2001, as indicated in Exhibit A-2, and it is

ORDERED that partial final judgment is entered against the Islamic Republic of Iran on behalf of the Plaintiffs in *Prior, et al. v. Islamic Rep. of Iran*, Case No. 19-cv-44 (GBD)(SN), as identified in the attached Exhibit A-3, who are each a spouse, parent, child, or sibling (or the estate of a spouse, parent, child, or sibling) of individuals killed in the terrorist attacks on September 11, 2001, as indicated in Exhibit A-3, and it is

ORDERED that Plaintiffs identified in Exhibits A-1 through A-3 are awarded: solatium damages of \$12,500,000 per spouse, \$8,500,000 per parent, \$8,500,000 per child, and \$4,250,000 per sibling, as set forth in Exhibits A-1 through A-3; and it is

ORDERED that partial final judgment is entered against the Islamic Republic of Iran, the Islamic Revolutionary Guard Corps, and the Central Bank of the Islamic Republic of Iran on behalf of the Plaintiffs in *Burnett, et al. v. Islamic Rep. of Iran, et al.*, Case No. 15-cv-9903 (GBD)(SN), as identified in the attached Exhibit B, who are each the estate of a victim of the terrorist attacks on September 11, 2001, as indicated in Exhibit B, and it is

ORDERED that Plaintiffs identified in Exhibit B are awarded: compensatory damages for decedents' pain and suffering in an amount of \$2,000,000 per estate, as set forth in Exhibit B (to the extent not previously so awarded); and it is

ORDERED that Stan V. Smith is qualified as an expert to opine on the economic losses of those decedents included on Exhibit B who are seeking economic-loss damages in this motion; and it is

ORDERED that opinions of Plaintiffs' expert Stan V. Smith are accepted and those estates for whom economic-loss damages are sought on Exhibit B are awarded the damages as set forth on Exhibit B as supported by the reports and analyses provided by Plaintiffs' expert; and it is

ORDERED that Plaintiffs identified in Exhibits A-1, A-2, A-3, and B are awarded prejudgment interest of 4.96 percent per annum, compounded annually, running from September 11, 2001 until the date of judgment; and it is

ORDERED that Plaintiffs identified in Exhibits A-1, A-2, A-3, and B may submit an application for punitive damages, economic damages, or other damages (to the extent such awards

have not previously been ordered) at a later date consistent with any future rulings made by this Court on this issue; and it is

ORDERED that the remaining *Burnett*, *Arias*, and *Prior* Plaintiffs not appearing on Exhibits A-1, A-2, A-3, and B may submit in later stages applications for damages awards, and to the extent they are for solatium or by estates for compensatory damages' for decedents' pain and suffering from the September 11 attacks, they will be approved consistent with those approved herein for the Plaintiffs appearing on Exhibits A-1, A-2, A-3, and B.

Furthermore, the Court respectfully directs the Clerk of the Court to terminate the motion at ECF No. 9755 in 03-MDL-1570 (GBD)(SN); ECF No. 712 in 15-cv-9903 (GBD)(SN); ECF No. 167 in 19-cv-41 (GBD)(SN); and ECF No. 151 in 19-cv-44 (GBD)(SN).

Dated: New York, New York

SO ORDERED:

_____, 2024

GEORGE B. DANIELS
United States District Judge